IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 1059 of 2005

Between:

J.Srinivasa Rao, S/o.Venkateswarlu
R/o.Gorantla, Guntur District.

..... PETITIONER

AND

1 Deputy Inspector General, Registration and Stamps
Zone-III, Guntur, Guntur District.
2 District Registrar of Assurances, Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not implementing the order of the 1st respondent in proceedings No.A1/611/2003, dt.30.8.2004 for restoration of petitioners license as stamp vendor as illegal, irregular and violative of Art.14,21 and 300A of the Constitution of India and also provisions of Indian Stamp Act and the rules framed there under and consequently direct the respondents to implement the same and restore his license as stamp vendor and pass such other order or orders.

Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioner, who claims to be a licenced stamp vendor, filed this writ petition seeking a declaration that the alleged inaction on the part of the 2nd respondent in implementing the order of the 1st respondent dated 30-08-2004 as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

The grievance of the petitioner is that though the 1st respondent by order dated 30-08-2004 allowed the appeal filed by him and set aside the order of the District Registrar of Assurances, Guntur dated 15-11-2003, whereunder the licence of the petitioner was cancelled, the 2nd respondent failed to restore his licence and his request for renewal of licence has also not been considered so far. It is stated that the petitioner made an application dated 16-9-2004 for renewal of licence by paying the requisite fee, however the 2nd respondent has not considered the same so far.

A perusal of the order of the 1st respondent dated 30-08-2004 shows that while setting aside the order of cancellation of licence, there was a specific direction to restore the licence of the petitioner subject to certain directions specified thereunder. The 2nd respondent is bound to implement the same and in case there is any objection for renewal of the licence, the 2nd respondent ought to have intimated the same to the petitioner.

Having regard to the facts and circumstances of the case, the writ petition is disposed of with a direction to the 2nd respondent to implement the order of the 1st respondent dated 30-08-2004 and to consider the application of the petitioner dated 16-09-2004 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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G. ROHINI, J.

Dated: 31st January, 2005

BJ/

To

1 Deputy Inspector General, Registration and Stamps
Zone-III, Guntur, Guntur District.
2 District Registrar of Assurances, Guntur, Guntur District.

3. Two C.Cs. to G.P. for Revenue, High Court Bldgs. (OUT)

4. Two C.D. copies.